

## UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

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JORGE SANTOYO,

Case No. 3:20-cv-00226-MMD-CLB

Plaintiff,

ORDER

v.

GEORGE DAVIS,

Defendant.

*Pro se* Plaintiff Jorge Santoyo brings this action against Defendant George Davis<sup>1</sup> under 42 U.S.C. § 1983. (ECF No. 12.) Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin (ECF No. 46), recommending that the Court dismiss this action without prejudice based on Santoyo’s failure to update his address. Objections to the R&R were due February 1, 2023. To date, neither party has objected to the R&R. For this reason, and as explained below, the Court adopts the R&R in full and dismisses the case.

Because there were no objections, the Court need not conduct *de novo* review, and is satisfied that Judge Baldwin did not clearly err. See *United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Judge Baldwin correctly found that dismissal is appropriate based on Santoyo’s failure to comply with her December 8, 2022, order directing him to update his address by January 13, 2023. (ECF No. 42.) See LR IA 3-1 (requiring *pro se* litigants to keep the Court apprised of their address, or face dismissal). The deadline has since passed and Santoyo has not updated his address,

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<sup>1</sup>Following screening, George Davis is the only remaining Defendant in this case (ECF No. 10).

1 requested an extension, or otherwise responded to Judge Baldwin's order. Santoyo also  
2 received adequate warning that his case may be dismissed if he failed to update his  
3 address. (*Id.*) Accordingly, the Court adopts Judge Baldwin's R&R in full and dismisses  
4 the case. See *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988); *Ferdik v. Bonzelet*,  
5 963 F.2d 1258, 1260-61 (9th Cir. 1992).

6 It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF  
7 No. 46) is accepted and adopted in full.

8 It is further ordered that Defendants' motion for summary judgment (ECF No. 35)  
9 is denied as moot.

10 It is further ordered that this case is dismissed without prejudice.

11 The Clerk of Court is directed to enter judgment accordingly and close this case.

12 DATED THIS 10<sup>th</sup> Day of February 2023.

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15 MIRANDA M. DU  
16 CHIEF UNITED STATES DISTRICT JUDGE  
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